United Nations CCPR/C/SR.2685

International Covenant on Civil and Political Rights

Distr.: General
17 May 2010

Original: English

Human Rights Committee

Ninety-eighth session

Summary record (partial)* of the 2685th meeting
Held at Headquarters, New York, on Monday, 8 March 2010, at 10 a.m.

Chair: Mr. Iwasawa

Contents

Opening of the session by the representative of the Secretary-General

Solemn declaration by the newly elected member of the Committee in accordance with article 38 of the Covenant

Adoption of the agenda

Organizational and other matters

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

10-26223 (E)

Please recycle

The meeting was called to order at 10.20 a.m.

Opening of the session by the representative of the Secretary-General

1. **Ms. Neuwirth** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) welcomed Mr. El-Haiba as a newly elected member of the Committee, following Mr. Ayat's resignation. A number of important developments had taken place since the Committee's previous session. The High Commissioner had launched a strategic management plan for the 2010-2011 biennium, in which strategies were proposed for each of six thematic priorities in an effort to boost the ability of OHCHR to achieve results in critical areas. The inclusion of the strengthening of international mechanisms and law as one of the priorities reflected the importance of such mechanisms in the programme of OHCHR. Furthermore, the recommendations of international human rights mechanisms were the foundation of all the thematic strategies in the High Commissioner's plan.

2. The global expected accomplishments of strategic management plans included improvements in both national and international protection systems. The 2010-2011 plan introduced two new expected accomplishments in addition to the nine contained in previous plans: the first related to rights holders' participation in the development and monitoring of public policies and their use of national protected systems, while the second focused on the progressive development and strengthening of international and regional human rights law and institutions.

3. The Human Rights Treaties Branch had been transformed into a Division as of 1 January 2010. Resources had been increased and the Division had already improved its structure to reflect the expansion of the treaty body system, the importance of enhanced visibility and accessibility of the treaty body system to all stakeholders, and the need for each treaty body to have its own core staff. The core staff providing technical and substantive assistance to the Committee was located in the Civil, Political, Economic, Social and Cultural Rights Section.

4. The tenth inter-committee meeting of human rights treaty bodies had been held in November 2009; following their consideration by the Committee, the points of agreement decided at that meeting would be transmitted to the twenty-second meeting of chairpersons of human rights treaty bodies. The eleventh inter-committee meeting, to be held from 28 to 30 June 2010, would focus on lists of issues prior to reporting, and focused reports. In follow-up to the recommendations made at the tenth inter-committee meeting, the second such meeting to be held in 2010 would take the form of a working group tasked to focus initially on strengthening follow-up and due to report to the inter-committee meeting. As recommended, the working group would be divided into two subgroups — one on follow-up to concluding observations and inquiries and visits, and one on follow-up to individual communications — which would meet in parallel. A further recommendation was to establish additional thematic working groups on topics to be identified by the inter-committee meeting and to review the practice of establishing such groups after a period of two years, in view of its experimental nature. The meeting of chairpersons had yet to endorse the recommendations.

5. The thirteenth session of the Human Rights Council was being held from 1 to 26 March 2010. Since the Committee's previous session, the Council had also held one special session on a human rights approach to supporting the recovery process in Haiti. In light of the critical need to re-establish the rule of law in Haiti, OHCHR, jointly with the Office of the United Nations High Commissioner for Refugees, had dispatched a mission to Haiti to support the Human Rights Section of the United Nations Stabilization Mission in Haiti in leading and coordinating the protection efforts by both international and national actors in partnership with the Government. It was crucial to rebuild and strengthen the national human rights protection system through an effective and independent judiciary and a law enforcement apparatus respectful of human rights.

6. Since the Committee's previous session, Turkmenistan, Maldives and Angola had submitted initial reports; Guatemala and the Islamic Republic of Iran, their third periodic reports; the Dominican Republic and Yemen, their fifth periodic reports; and Norway, its sixth periodic report. The agenda of the current session was once again extremely full, including the examination of four country reports, the adoption of lists of issues in response to a further five reports and a list of issues in the absence of a report, the consideration of a large number of communications, and further discussion of the Committee's working methods, in particular, its work on revised reporting

guidelines. Ms. Keller's paper on the modalities of implementing the new procedure of sending lists of issues prior to reporting and considering replies to lists of issues as focused reports would also be discussed. In addition, the Committee would continue its first reading of a draft general comment on article 19 of the Covenant and would consider the progress reports submitted by the Special Rapporteur for follow-up on concluding observations and the Special Rapporteur for follow-up on Views.

7. **The Chair** said that although the Committee had made an official complaint to the High Commissioner in October 2009 regarding the lack of translation for one State party's written replies, it was experiencing similar problems during the current session. He requested the Office of the High Commissioner to make every effort to address the issue promptly.

8. **Ms. Neuwirth** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) conveyed her apologies to the Committee for the difficulties experienced, which, unfortunately, went well beyond the scope of the Committee's work. Since assuming her current post, she had met with a number of high officials to address the problem and would continue to work towards a solution.

9. **Mr. Thelin**, referring to article 36 of the International Covenant on Civil and Political Rights, said that while he understood that since the establishment of the Office of the High Commissioner for Human Rights (OHCHR), the responsibility to provide the necessary support to the Committee had been delegated to that Office, it would be unfair to place the full burden of the Committee's dissatisfaction on OHCHR. The onus to provide support to the Committee should remain on the Secretary-General, as reflected in the Committee's most recent annual report.

10. **Mr. Amor** said that the lack of documentation in the Committee's three working languages made it impossible for some members to participate in the Committee's work. It was imperative that similar situations should be avoided in future.

11. **Ms. Neuwirth** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) agreed that translation into all the Committee's working languages was a prerequisite for the Committee's work. She would convey the complaint to the relevant officials; it was hoped that the recent decision by the General Assembly to create an Assistant Secretary-General post for the OHCHR Office in New York would facilitate the resolution of such problems.

12. **Sir Nigel Rodley**, referring to the tenth inter-committee meeting at which he had represented the Committee, said that copies of the meeting's points of agreement had been made available to members. The meeting as a whole had addressed the document processing issue, as it was common to all the Committees. The existence of a trade union of treaty bodies on the issue might help strengthen the arm of the Secretariat to ensure the effective functioning of the treaty bodies.

Solemn declaration by the newly elected member of the Committee in accordance with article 38 of the Covenant

13. *At the invitation of the Chair, a new member of the Committee — Mr. El-Haiba — solemnly undertook to discharge his duties impartially and conscientiously, in accordance with article 38 of the Covenant and rule 16 of the Committee's rules of procedure.*

Adoption of the agenda

14. *The agenda was adopted.*

Organizational and other matters

15. **Mr. Thelin**, speaking as Chair/Rapporteur of the Working Group on Communications, said that the Working Group, composed of nine members of the Committee, had met from 1 to 5 March 2010. The Working Group had considered a total of 28 communications: the Working Group decided that 12 of them should be declared inadmissible and that the remaining 16 should be declared admissible and dealt with on the merits. Draft Views would be provided in folders, as per the usual practice. For the first time, a list of the members of the Working Group who had participated in the drafting of the Views would be included. A few draft Views included options; however, it should be noted that even when there were no options, the fact that certain members were listed did not necessarily mean that all of them endorsed the draft, but merely that they had participated in its deliberation.

The discussion covered in the summary record ended at 10.50 p.m.